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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,926	11/30/2001	Shawn P. Delany	21756-012300	4296

			EXAMINER
51206	7590	09/11/2006	JEAN GILLES, JUDE

TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/998,926	DELANY ET AL.
		Examiner	Art Unit
		Jude J. Jean-Gilles	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06/27/2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-28,35-39 and 44-52* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-21,35-38,44-46,48 and 49* is/are rejected.

7)☒ Claim(s) *22-27,39,47 and 50-52* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _06/27/2006_

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 06/27/2006. Claimed priority is

granted from Provisional application 60258087 with a priority date of 12/22/2000.

Response to RCE

This action is responsive to RCE request filed on 06/27/2006. Claims New claims 48-52

have been added. There are no previously submitted claims being amended. Claims

1-14, 29-34, and 40-43 are canceled. Claims 15-28, 35-39, and 44-52 are pending in

this application and represent a method and system for " determining group

membership".

Allowable Subject Matter

1.   **Claims 22-27, 39, 47, 50-52** are objected to as being dependent upon a rejected

base claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   **Claims 15-21, 35-38, and 44-46, and 48-49** are rejected under 35 U.S.C. 103(a)

as being unpatentable over Lynch, Patent No. 6,487,600 B1 in view of Ismail et al

(Ismail), U.S. Patent No. 6,104,705.

Regarding **claim 15**, Lynch discloses the invention substantially as claimed. Lynch

teaches a method for identifying members of a group, comprising the steps of:

determining dynamic members of a first group based on the rule that defines

dynamic membership for said first group, wherein said rule is stored in dynamic rule

attribute of an identity profile of said first group(column 7, lines 6-28; column 25, lines

39-60);

storing an identification of each of said dynamic members of said first group

(column 7, lines 6-28; column 25, lines 39-60);

receiving a request to report members of said first group, said request is received

subsequent to said step of storing (column 25, lines 39-67; column 26, lines 1-14);

However, Lynch does not teach "reporting said dynamic members of said first

group in response to said request, said reporting of said dynamic members is performed

based on said stored identification of said dynamic members".

In the same field on endeavor Ismail discloses "...*a controller for receiving group

dynamic monitoring signals from each group member device or application, said group

dynamic monitoring signals indicating a variety of activity of each group member,

wherein the group dynamic monitoring signals are used to assign priorities to said

video streams according to a set of rules, and said priorities are used for

determining...*" [see Ismail; column 7, lines 21-28].

Accordingly, it would have been obvious to one of ordinary skill in the networking

art at the time the invention was made to have incorporated Ismail's teachings of a

method and system for reporting said dynamic members of said first group in response

to said request with the teachings of Lynch, for the purpose of providing means to develop a dynamically configured user network according to the rules by which the network members establish links among themselves and communicate.... as stated by Lytnch in lines 55-61 of column 3. By this rationale **claim 15** is rejected.

Regarding **claim 16**, the combination Lynch-Ismail discloses a method according to claim 15, wherein: said first group includes one or more static members; an identification of each of said static members is stored in a static member attribute for said identity profile of said first group; and said identification of each of said dynamic members is stored in said static member attribute for said identity profile of said first group (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 17**, The combination Lynch-Ismail discloses a method according to claim 15, wherein: said first group includes one or more static members; an identification of each of said static members is stored in a static member attribute for an identity profile of said first group; said identity profile of said first group also includes an expansion attribute; and said method can only be performed if said expansion attribute includes an appropriate value (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 18**, The combination Lynch-Ismail discloses a method according to claim 17, wherein: said method can only be performed for an entity having access to said expansion attribute and said dynamic rule attribute (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 19**, The combination Lynch-Ismail discloses a method according to claim 15, wherein: said steps of determining and storing are automatically repeated (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 20**, The combination Lynch-Ismail discloses a method according to claim 15, wherein: said steps of determining, storing and receiving are performed by an integrated identity and access system (see Lynch; column 7, lines 6-28; column 25, lines 39-67);

Regarding **claim 21**, The combination Lynch-Ismail discloses a method according to claim 20, wherein: said integrated identity and access system is capable of performing authorization services based on membership in said first group (see Lynch; column 7, lines 6-28; column 25, lines 39-67);

Regarding **claim 28**, The combination Lynch-Ismail discloses a method according to claim 15, wherein: said first group includes one or more static members; and said step of reporting includes reporting said static members (see Lynch; column 7, lines 6-28; column 25, lines 39-67);

Regarding **claim 35**, The combination Lynch-Ismail discloses one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of:

determining dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule

attribute of an identity profile of said first group (see Lynch; column 7, lines 6-28; column

25, lines 39-67);

storing an identification of each of said dynamic members of said first group; and

receiving a request to report members of said first group, said request is received

subsequent to said step of storing (see Lynch; column 7, lines 6-28; column 25, lines

39-67);and reporting said dynamic members of said first group in response to said

request, said reporting of said dynamic members is performed based on said stored

identification of said dynamic members [see Ismail; column 7, lines 21-28].

Regarding **claim 36**, The combination Lynch-Ismail discloses one or more

processor readable storage devices according to claim 35, wherein: said first group

includes one or more static members; and said step of reporting includes reporting said

static members (see Lynch; column 7, lines 6-60; column 25, lines 39-67).

Regarding **claim 37**, The combination Lynch-Ismail discloses one or more

processor readable storage devices according to claim 36, wherein: said steps of

determining and storing are automatically repeated (see Lynch; column 7, lines 6-60;

column 25, lines 39-67).

Regarding **claim 38**, The combination Lynch-Ismail one or more processor

readable storage devices according to claim 36, wherein: said steps of determining,

storing and receiving are performed by an integrated identity and access system (see

Lynch; column 7, lines 6-60; column 25, lines 39-67).

Regarding **claim 44**, The combination Lynch-Ismail discloses an apparatus that

can determine members of a group, comprising:

a communication interface; and one or more processors in communication with said communication interface, said one or more processors perform a method comprising the steps of:

determining dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule attribute of an identity profile of said first group, said first group includes one or more static members (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

storing an identification of each of said dynamic members of said first group, and

receiving a request to report members of said first group, said request is received subsequent to said step of storing, and reporting said static members and said dynamic members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members [see Ismail; column 7, lines 21-28].

Regarding **claim 45**, The combination Lynch-Ismail discloses an apparatus according to claim 44, wherein: said steps of determining and storing are automatically repeated (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 46**, The combination Lynch-Ismail discloses an apparatus according to claim 44, wherein: said steps of determining, storing and receiving are performed by an integrated identity and access system (see Lynch; column 7, lines 6-60; column 25, lines 39-67);

Regarding **claim 48**, The combination Lynch-Ismail discloses An integrated identity and access system comprising:

an identity system adapted to determine dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule attribute of an identity profile-of said first group, store an identification of each of said dynamic members of said first group, receive a request to report members of said first group, said request is received subsequent to said step of storing, and report said dynamic members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members (see Lynch; column 7, lines 6-60; column 25, lines 39-67); and

an access system adapted to perform authentication services based on membership in said first group (see Lynch; column 7, lines 6-60; column 25, lines 39-67) and [see Ismail; column 7, lines 21-28].

Regarding **claim 49**, The combination Lynch-Ismail discloses The integrated identity and access system of claim 48, wherein:

said first group includes one or more static members;

an identification of each of said static members is stored in a static member . attribute for said identity profile of said first group; and

said identification of each of said dynamic members is stored in said static

member attribute for said identity profile of said first group (see Lynch; column 7, lines 6-60; column 25, lines 39-67).

Conclusion

4.   Applicant's convincing remarks necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL**. The Examiner strongly anticipate a Final Rejection Office Action on the next response if amendments are not properly made to the claims to perhaps place them in condition for allowance.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.
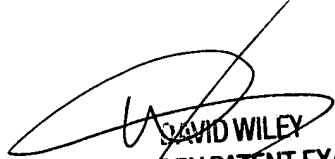
Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

August 23, 2006

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100